

## **DETAILED ACTION**

### ***Amendment***

Response to amendment filed 11/19/2008. Claims 3, 5, 7, 10-11, 14-18, and 20 have been amended. Claims 1-2 and 19 have been canceled. Claim 21 has been newly added.

### ***Response to Arguments***

Applicant's arguments, filed 11/19/2008, with respect to the 35 USC 101 rejections of claims 18-19 have been fully considered and are persuasive. This rejection is hereby withdrawn.

Applicant's arguments with respect to claim 3-18 and 20-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3, 4, 8, and 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kamen et al, US PG Pub # 20020087985, hereinafter Kamen.

With regard to claim 3, Kamen discloses:

A program list generating apparatus for generating a program list ([0012]; Kamen discloses a system for building a program guide), the program list generating apparatus comprising:

An acquiring unit operable to acquire a first title being a title of a first program and acquire a second title being a title of a second program, the first and second titles being acquired from a program guide that shows information of a plurality of programs (Figures 1 and 2, items 205, 210, and 215 and [0015]; Kamen describes the step of receiving and parsing the title of a first program (For the Love of the Game) and a second program (The Amazing Exploration of Mount Everest)).

an extracting unit operable to extract a first difference from the first title by removing, from the first title, one or more characters that are contained in both the first title and second titles (Figure 1, step 110, non-essential non-relational words are removed from the titles – if the same non essential word appears in both titles, then the word will be removed from both titles), and extract a character sequence having a predetermined length from the extracted first difference (figure 1, step 115, and paragraph [0017]; relational words are further extracted from the titles and replaced with characters; these relational words can be stored in a look-up table, thereby they have a predetermined length in that they are known), and

a program list generating unit operable to generate the program list, the generated program list containing the character sequence having the

predetermined length extracted by the extracting unit (figure 1, step 125; the abbreviated program titles are placed into the program guide; figure 2 and [0024], the program guide is displayed to the user).

With regard to claim 4, Kamen further discloses wherein the extracting unit prestores information indicating a number of bytes that corresponds to the predetermined length, and extracts, from the first difference, the character sequence having the number of bytes indicated by the information (paragraph [0117]; the relational words are stored in a look-up table, thereby having a predetermined length; as described in the claim 1 rejection, these words are removed from the first difference).

Claim 8 is analyzed and rejected as applied to claim 3. The program list is displayed on a monitor and the titles appear as displayed in figure 2, and conforms to the display format of the program list in that it is formatted according to the algorithm of Kamen.

Claim 16 is analyzed and rejected as applied to claim 1. As described, figure 2 and paragraph [0024] clearly disclose displaying the program guide to the user for selection of a particular show on television 412 of figure 4).

Claim 17 is the method corresponding to apparatus claim 1, and is rejected as applied.

Claim 18 is the computer program to implement the method steps of claim 17, and is rejected as applied.

Claim 20 is an integrated circuit to perform the steps corresponding to system claim 1, and is rejected as applied. The system as taught by Kamen inherently can be invoked on an integrated circuit.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen, in view of Naimpally, US Patent # 6020880, hereinafter Naimpally.

With regard to claim 5, Kamen discloses the program list generating apparatus of claim 4, however fails to disclose when a character sequence constituting the first difference is shorter than the character sequence having the number of bytes, the extracting unit combines part or all of the one or more characters with part or all of the character sequence constituting the first difference to generate a combination character sequence having the number of bytes indicated by the prestored information, and wherein the program list generating unit generates the program list, what contains the combination character sequence generated by the extracting unit. In an analogous art, Naimpally discloses a system that provides EPG information to a television receiver from a server (abstract). In column 8, lines 35-63 and table 3B, Naimpally describes that a title may be truncated to 10 characters in order to fit

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into a limited space. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Naimpally to fit the information into a limited space by limiting the number of characters that can be displayed to the system of Kamen that shortens program titles to fit into a limited space. The principle of Naimpally that there are 10 character spaces to display the title could be used in the system of Naimpally to only eliminate enough words to fit into the 10 character limit, and if more words are eliminated than necessary, to restore eliminated words in order to display the title in as much of its entirety as possible, in order to give the user as much information as possible in the limited space.

5. Claims 6-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen, in view of Davis et al, US Patent # 5576755, hereinafter Davis.

With regard to claim 6, Kamen discloses the program list generating apparatus of claim 3, and further discloses a receiving unit operable to receive the first program, however fails to disclose a recording unit operable to record the received first program into a recording medium in conformity with a first recording format, wherein the extracting unit extracts, from the first difference, the character sequence having the predetermined length, which corresponds to the first recording format. In an analogous art, Davis discloses a system to provide EPG data to a subscriber and maintain integrity of the data (abstract). In column 4, line 51- column 5, line 14, Davis discloses that the EPG information may be recorded into the database in a plurality of formats, to accommodate different

EPG platforms; the text fit system determines if an edited version of the title is needed for a particular platform, and the edited version is added to the database along with the full title). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Davis to display an edited version of the EPG title information, and for the system of Kamen to process the edited version in order to find a difference by removing non-essential, non-relational words as described in the claim 3 rejection, thereby ensuring that the resulting title would fit in the allocated space of the guide.

With regard to claim 7, Kamen in view of Davis discloses the program list generating apparatus of claim 6. Davis further discloses wherein the recording unit selects the first recording format from among a plurality of recording formats that respectively correspond to a plurality of recording mediums, and records the first program into the recording medium in conformity with the first recording format, and wherein the extracting unit prestores information that indicates a correspondence between the plurality of recording formats and one or more lengths, and extracts, from the first difference, a character sequence having a length that corresponds to the first recording format. Davis discloses in column 4, line 51 – column 5, line 14 that the recording unit will select a format based on "different platforms", corresponding to a plurality of recording mediums; moreover, the system of Davis "determines whether an edited version of a title is required to fit within the designated space for a particular platform and grid cell", i.e. the format and length of the title are stored based on the requirements of the

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specific platform). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to store a version of the program title based on the platform as taught by Davis, and use this version in the system of Kamen to further reduce the displayed program title to fit a reduced size screen.

With regard to claim 9, Kamen in view of Davis discloses the program list generating apparatus of claim 8 and a monitor to receive the displayed program list (see claim 8 rejection). Davis further discloses the extracting unit prestores information that indicates a correspondence between the plurality of display formats and one or more lengths for each of a plurality of display formats (column 4, line 64 - column 5, line 6; within the same platform, there may be multiple versions of the title, for example, for a two hour program— there could be a version for 30, 60, 90, and 120 minutes). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Davis to store multiple versions of the title for each platform to the system of Kamen in order to further fit the program title into the space designated.

With regard to claims 10-11, Kamen in view of Davis disclose the program list generating apparatus of claim 9. Davis further discloses wherein the program list generating unit determines a font size of the character sequence having the length that corresponds to the display format extracted by the extracting unit, in accordance with the display format received by the display format receiving unit (column 8, lines 5-10; the system will determine the proper font (corresponding to

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both font size and type, as specified in claim 11) to be used for display of the text). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine the proper font size of the text as disclosed by Davis in order to minimize the space required to display the text as taught by Davis (column 8, lines 12-14).

6. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen, in view of Shintani et al, US Patent # 6839903, hereinafter Shintani.

With regard to claim 12, Kamen discloses the program list generating apparatus of claim 3 being connected to a monitor, however fails to disclose wherein the character sequence extracted by the extracting unit conforms to an attribute of the monitor. In an analogous art, Shintani discloses displaying EPG data on a display device based on characteristics of the display device (abstract). In figure 3 and column 6, lines 27-67, Shintani describes that the system will read-in the resolution of the display, and lay out the EPG based on the resolution. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Shintani to conform the EPG to an attribute of the monitor and display more information to the user to the system of Kamen that seeks to display information about the title of a program within the limited space available. Using the resolution of the screen would allow the system to display more information on a screen with higher resolution, as taught by Shintani.



With regard to claim 13, Shintani further discloses a monitor information acquiring unit operable to acquire monitor information indicating a resolution of the monitor, from the monitor (column 6, lines 27-40; the display device transmits data regarding the appearance of the display device);

prestoring information that indicates a correspondence between a plurality of resolutions and one or more lengths, and extracts, from the first difference, a character sequence having a length that corresponds to the resolution indicated by the monitor information acquired by the monitor information acquiring unit (column 8, lines 6-24; Shintani discloses that for a particular high resolution, high aspect ratio, the EPG will be presented accordingly, and the system is suited for a plethora of cases of varying resolutions/aspect ratios). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to store corresponding EPG layouts corresponding to a screen resolution as taught by Shintani to the system of Kamen that displays a program guide title within a limited space. The combined system would be able to use the screen resolution in order to determine how much space can be allocated to the EPG title, and maximize use of the space.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen in view of Schein, US Patent # 5959688, hereafter Schein.

With regard to claim 14, Kamen, discloses the program list generating apparatus of claim 2 by disclosing a system that will generate a programming guide with a list with programming titles and their corresponding channels and

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times. However, Kamen fails to disclose that the programs are broadcast on different days, on the same channel, and for a same time period.

Schein describes a method that generates a list of multiple programming occurrences of a particular show. Moreover, he teaches that the multiple occurrences of the show can be on the same channel, on different days, and for a same time period (Fig. 3 - Schein shows a view of an EPG that shows several occurrences of a particular show. Two are on the same channel (HBO1), two are on different days (Wednesday and Thursday, as opposed to Monday), and same time period (Figure 2 - Schein shows a view of the EPG that shows the particular time period the show is scheduled for).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Kamen to allow the user to view all instances of a particular show as taught by Schein. The advantage of this would have been to provide the user a convenient way to view all instances of his favorite show on one guide while providing the space saving techniques of Kamen.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen in view of True, US PG Pub # 20040073922, hereinafter True.

With regard to claim 15, Kamen discloses the program list generating apparatus of claim 3 further comprising:

a receiving unit operable to receive the first and second program (paragraph [0021]; set-top box);

wherein the extracting unit extracts the first difference from the first title, extracts a second difference from the second title, the first and second differences being portions of the first and second titles, respectively, and being different from each other, extracts a first character sequence having the predetermined length from the first difference, and extracts a second character sequence having the predetermined length from the second difference (see claim 1 rejection, if the titles are different from each other, then the extracted portion will be different, the extracted portion has a predetermined length in that it corresponds to non-essential/non-relational words of predetermined length stored in a database) wherein the program list generated by the program list generating unit contains the extracted first and second character sequences each having the predetermined length (paragraph [0025]; the program list may contain words extracted by the extracting unit if they are determined to be meaningful words; the word that is most meaningful will be retained in the displayed title).

Kamen fails to disclose a recording unit operable to record the received first and second program.

True describes a recording unit operable to record the received first and second programs ([0066]; True describes a connection to a VCR to control the recording of a program). True further discloses displaying episodes of the same show along with their subtitles in order to distinguish them from one another. (Figure 6 and [0043]; True teaches that in order to distinguish between different programs having the same title, a further description can be included in the

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displayed program guide. As illustrated in Figure 6, each episode of Mash is now displayed with a subtitle in order to distinguish it from other episodes of Mash; therefore the displayed titles would be different from each other).

It would have been obvious to one of ordinary skill in the art to add the feature as taught by True to recording the programs, as it is desirable to record programs to be watched later by a user.

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamen in view of Schein, in further view of True.

With regard to claim 21, Kamen in view of Schein discloses the program list generating apparatus of claim 14, however fails to disclose wherein the first and second programs constitute a series of programs and have a same main title and different subtitles. In an analogous art, True discloses displaying episodes of the same show along with their subtitles in order to distinguish them from one another. (Figure 6 and [0043]; True teaches that in order to distinguish between different programs having the same title, a further description can be included in the displayed program guide. As illustrated in Figure 6, each episode of Mash is now displayed with a subtitle in order to distinguish it from other episodes of Mash; therefore the displayed titles would be different from each other).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of True to obtain the main title and subtitles of a show in a program guide and apply the techniques of Kamen in view of Schein to reduce the title of the program into the limited space available.

### **Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571)270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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E-Signed

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